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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/679,022	10/03/2003	Jean-Aicard Fabien	CS23468RA	1510

20280 7590 05/20/2005

MOTOROLA INC
600 NORTH US HIGHWAY 45
ROOM AS437
LIBERTYVILLE, IL 60048-5343

EXAMINER

GELIN, JEAN ALLAND

ART UNIT PAPER NUMBER

2681

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/679,022

Applicant(s)

FABIEN ET AL.

Examiner

Jean A Gelin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-11 and 17-22 is/are allowed.
- 6) ☐ Claim(s) 1-5, 12-14 and 16 is/are rejected.
- 7) ☒ Claim(s) 4 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1 and 17 are objected to because of the following informalities: the phrase "the a broadcast" in line 14 of claim 1 and line 17 of claim 12 should be --the broadcast message--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5, 12-14, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Sarkar et al. (US 6,728,300).

Regarding claims 1, and 12, Sarkar teaches a method of operating a device (i.e., remote station as disclosed in fig. 1 typically includes a transceiver to transmit and receive, a memory to store information, and processor to process the information) in a wireless network to receive broadcast messages (general page message, i.e., PGM) as well as point to point communications (col. 7, lines 8-15), the method comprising: waking up the device at a preprogrammed time; upon waking up at the preprogrammed time, receiving a first message that includes a broadcast indicator code that identifies a

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broadcast category or a specific broadcast (i.e., remote station periodically wakes up to monitor a set of categories of broadcast messages, col. 7, lines 8-64); comparing the first broadcast indicator code to one or more stored codes indicative of broadcasts subscribed to (i.e., a comparison is made for the remote station to turn on the broadcast message of interest, col. 9, lines 1-20); and in a first case that it is determined that the broadcast indicator code does not match any of the one or more stored codes going into sleep mode (i.e., determining the broadcast indicator for which it should be off col. 12, lines 8-57); and in a second case that it is determined that the broadcast indicator code matches one of the one or more stored codes, operating the device to receive the broadcast (i.e., determining the broadcast indicator for which it should be on col. 12, lines 8-57).

Regarding claims 2, 13, Sarkar teaches waking up the device at a preprogrammed time that is a function of an ID of the device (i.e., within page indicator for individual remote station, col. 7, lines 8-35).

Regarding claims 3, 14, Sarkar teaches receiving the first message comprises receiving a communication indicator that includes paging indicator symbols indicative of whether or not there is an incoming point-to-point communication for the device along with the broadcast indicator code (col. 7, lines 8-47).

Regarding claim 5, 16, Sarkar teaches prior to waking up, receiving and storing the one or more stored codes (i.e., whether to wake up is based on message indicator, this message should be stored for processing, col. 12, lines 8-35).

Allowable Subject Matter

4. Claims 6-11 and 17-22 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter: the prior art teaches all the limitations as recited in the rejection above. On the other hand, the Applicant teaches determining a transmit time based on an ID of each of the wireless devices among the plurality of wireless devices; at each transmit time transmitting a first message that includes a broadcast indicator code that identifies a broadcast category or a specific broadcast to one or more of the plurality of wireless devices having ID's corresponding to the transmit time; and transmitting the broadcast to the plurality of wireless devices. These limitations, in conjunction with all limitations of the base claims, have not been disclosed, taught, or made obvious over the prior art of record.

6. Claims 4 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter: the prior art teaches all the limitations as recited above. On the other hand, the Applicant teaches in the second case, prior to operating the device to receive the at least one broadcast; receiving a second message indicative of a subcategory of the broadcast; and comparing the subcategory of the broadcast to information indicative of subcategories to which the device is subscribed that is stored in the device, wherein

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operating the device to receive the broadcast is contingent upon a match being found between subcategory information received in the second message, and subcategory information stored in the device. These limitations, in conjunction with all limitations of the base claims, have not been disclosed, taught, or made obvious over the prior art of record.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Koo et al.	US 2003/0117969	06/26/2003
Diachina et al.	US 6,252,868	06/26/2001
Hong	US 6,292,508	9/18/2001
Lappetelaimen et al.	US 6,834,045	12/21/2004
Kim et al.	US 6,826,408	11/30/2004

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

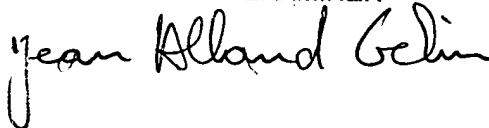
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGelin

Wednesday, May 11, 2005

JEAN GELIN
PRIMARY EXAMINER

A handwritten signature in cursive script that reads "Jean Alband Gelin". The signature is written in black ink and is positioned below the printed name and title.